UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

CONSTITUTION AND BY-LAWS
OF THE
PETERSBURG INDIAN ASSOCIATION
ALASKA

APPROVED MARCH 22, 1948

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1950

CONSTITUTION AND BY-LAWS OF THE PETERSBURG INDIAN ASSOCIATION, ALASKA

PREAMBLE

We, a group of Indians having a common bond of residence on Mitkof Island, Territory of Alaska, in order to promote our welfare through the development and operation of social and economic enterprises, do ordain and establish this Constitution and By-laws in accordance with, and by authority of, the Act of Congress of June 18, 1934 (48 Stat. 984), as amended by the Acts of June 15, 1935 (49 Stat. 378), and May 1, 1936 (49 Stat. 1250).

ARTICLE I—NAME

The name of this organization shall be the Petersburg Indian Association, hereafter referred to in this Constitution and By-laws as the Association.

ARTICLE II—MEMBERSHIP

SECTION 1. The membership of this Association shall be as follows:

(*a*) All persons whose names appear on the roll of those entitled to vote on the adoption of this Constitution and By-laws, consisting of the native residents of this Island, as provided in Article VI, Section 2, of the By-laws. Within one year from the approval of this Constitution the Council elected under this Constitution may make corrections in this roll, subject to the approval of the Secretary of the Interior.

(*b*) All other persons of Indian blood who make their permanent residence on Mitkof Island may be adopted by the Council.

SEC. 2. The Council may make rules and regulations governing the enrollment and adoption of members and the conditions under which a member may abandon his membership, or having abandoned it be readmitted to membership, subject to approval by the Secretary of the Interior.

SEC. 3. Children of members of the Petersburg Indian Association shall automatically become members of the Organization upon attaining the age of 21 years, providing their legal residence is on Mitkof Island.

SEC. 4. Any person shall be considered a resident who maintains a permanent home on Mitkof Island, Territory of Alaska.

888680—50

Article III—The Governing Body

Section 1. The governing body of this Association shall be a Council composed of the President and six members, elected by the adult members of the Association.

Sec. 2. The membership of the Association shall meet on the first Monday in January of each year, at which time it may increase the size of the Council, and may attend to any other lawful business.

Sec. 3. Council members shall be elected on the annual election date and shall serve for a period of two years except as provided in Section 5 hereof, or until their successors are elected and qualify.

Sec. 4. The President shall be elected annually to serve for a term of one year.

Sec. 5. The first regular Council elected under this Constitution shall divide itself into two equal groups, "A" and "B", by drawing lots, whereupon the term of office of those in group "A" shall terminate on the annual election date in even numbered years and the term of those in group "B" shall terminate on the annual election date in odd numbered years. Thereafter each member of the Council shall serve two years.

Sec. 6. The Council shall organize itself within 30 days after each annual election date by electing from within its membership a vice-president, and from within or without, a secretary, a treasurer, and such other officers as it may deem necessary. Officers elected from without the Council shall not vote therein.

Article IV—Elections

Section 1. The annual election date shall be the first Monday in January.

Sec. 2. Within 60 days after the approval of this Constitution, the Agency in charge of Indian Affairs in Alaska shall call and supervise an election of a Temporary Council to serve until the first regular election under this Constitution.

Sec. 3. Any member of this Association shall have the right to vote.

Sec. 4. All elections shall be by a secret ballot and shall be held, in accordance with the rules and regulations of the Council.

Sec. 5. It shall be the duty of the Secretary to notify each person of his election within five days thereof.

Article V—Powers

Section 1. The Council shall exercise the following powers, subject to any limitations imposed by the Statutes or Constitution of the United States and subject further to all express restrictions upon such powers contained in this Constitution and By-laws.

(*a*) To negotiate with the Federal and Territorial Governments on behalf of the Association and to advise and consult with representatives of the Interior Department on all activities of the Department that may affect the Association.

(*b*) To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.

(*c*) To manage and control all the economic affairs and enterprises of the Association in accordance with the terms of a charter which may be issued to the Association by the Secretary of the Interior.

(*d*) To prevent the sale, disposition, lease, or encumbrance of any land. interest in land or waters, or in other assets of the Association without the consent of the Council.

(*e*) To organize or to charter associations of its members for economic purposes and to regulate the same.

(*f*) To levy on the members dues, fees, and assessments, for association purposes, and fines for violations of its rules and regulations, to assess charges on nonmembers for the use of property of the Association and to provide for the collection thereof.

(*g*) To provide for filling vacancies in office consistent with this Constitution.

(*h*) To advise the Secretary of the Interior with regard to all appropriation estimates of Federal projects for the benefit of the Association prior to the submission of such estimates to the Bureau of the Budget and to Congress.

(*i*) To make assignments of the Association lands to members of the Association in accordance with the custom of the Indians forming this Association or in accordance with the regulations of the Council.

(*j*) To protect and preserve the property and natural resources of the Association.

(*k*) To cultivate native arts. crafts and culture of the Association.

(*l*) To aid needy members and protect the general welfare and security of the Association.

SEC. 2. The Council of this Association may exercise such further powers as may in the future lawfully be delegated to the Council by members of the Association or by the Federal or Territorial Government.

SEC. 3. Any rights and powers previously possessed by the Indians residing on Mitkof Island but not expressly referred to in this Constitution shall not be abridged by this Constitution, but may be exercised by the people of the Association in a referendum vote with the approval of the Secretary of the Interior.

Article VI—Bill of Rights

Section 1. The Council shall not restrict or in any way abridge the rights of the members of the Association guaranteed under the Constitution of the United States but it shall be its duty to see that the full constitutional rights of members are maintained and preserved.

Sec. 2. All members of the Association shall be accorded equal right and opportunity to participate in and enjoy the resources, property, and benefits of this Association.

Article VII—Removal of Officers

Section 1.

(*a*) Any member or officer of the Council who is convicted of a felony or any offense involving dishonesty shall forfeit his office.

(*b*) Any member of the Council who is absent from the regular meetings of the Council for a period of three months without cause or excuse, may have his seat declared vacant by the Council after notice and opportunity to be heard whereupon the Council shall fill it as in the case of other vacancies.

(*c*) Upon petition signed by one-third of the adult members of the Association asking the recall of any member of the Council, the Council shall call a special meeting of the Association to vote upon his recall. If the council member is recalled, the Association members shall proceed to elect his successor to fill the unexpired term.

(*d*) If the office of a council member is vacant for any reason other than his recall, the Council may appoint a successor to serve until the next regular meeting of the Association at which time a member shall be elected to fill the unexpired term.

Article VIII—Federation

The Council may for the purpose of forming a federation or union with other organizations of like character appoint a committee to meet with such other organizations, and submit its findings to the said Council for appropriate action.

Article IX—Amendments

This Constitution and By-laws may be amended by a majority vote of the qualified voters of the Organization voting at an election called for the purpose by the Secretary of the Interior: Provided, that at least 30 percent of those entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior. It shall be the duty of the Secretary of the Interior to call an election upon receipt of a written resolution signed by a majority of the Council.

BY-LAWS OF THE PETERSBURG INDIAN ASSOCIATION

ARTICLE I—DUTIES OF OFFICERS

SECTION 1. The President of the Council shall preside over all meetings of the Association and shall be chairman of the Council, exercising the usual duties of chairman and any others delegated to him. He may vote in Council meetings only in case of a tie or where the vote is by ballot.

SEC. 2. The Vice-President shall act as President in the absence or disability of the President.

SEC. 3. The Secretary of the Council shall conduct all correspondence and keep a complete and accurate record of all business transacted at Council or Association meetings. It shall be his duty to forward promptly to the Agent in charge of Indian Affairs in Alaska two copies of all minutes of all regular and special meetings of the Council or Association. The Secretary shall record all rules, regulations, and resolutions in appropriate books, indexing the same and assigning a short title, and may publish the same for the information of the Association.

SEC. 4. The Treasurer of the Council shall accept, receive, receipt for, preserve and safeguard all funds in the custody of the Council, whether Association funds or other funds for which the Council is responsible. He shall deposit all such funds in such banks or elsewhere as directed by the Council. He shall make and preserve a faithful record of such funds and shall report to the Council all receipts and expenditures and the amount and nature of all funds in his possession or custody. He shall not pay out or authorize disbursement of any funds for which he is responsible except in the manner authorized by the Council.

The books and records of the Treasurer shall be audited at least once each year by a competent auditor employed by the Council and at such other times as the Council or the Commissioner shall direct. He shall direct the auditor in writing to send two copies of his report to the Agent in charge of Indian Affairs in Alaska. He shall also send two copies of his trial balance once each month to said Agent.

The Council or, when Federal funds are involved, the Commissioner may require the Treasurer to give a satisfactory bond, and until then any Federal funds shall be deposited according to the direction of the Agent in charge of Indian Affairs in Alaska. The Treasurer shall be present at all special or regular meetings of the Council. The Treasurer may, with the advice and consent of the Council, appoint assistants.

SEC. 5. The duties of all appointive officers or agents shall be clearly defined by a resolution of the Council at the time of their appointment.

Article II—Qualifications of Officers

Section 1. No person may be candidate for any elective office unless he has the qualifications of a voter.

Article III—Installation of Officers

Section 1. Each person appointed or elected to an office shall subscribe to the following oath of office before entering upon the duties thereof.

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies: that I will carry out faithfully and impartially the duties of my office as _____ to the best of my ability: that I will promote and protect the best interests of the Association, in accordance with this Constitution and By-laws."

Article IV—Time and Place of Meeting and Order of Business

Section 1. The Council shall meet on the first Monday of each month at 7:30 P. M., unless otherwise ordered by resolution, and may meet at such other times as may seem desirable to the Council.

Sec. 2. A number equal to one more than one-half of the entire membership of the Council, exclusive of the President, shall constitute a quorum.

Sec. 3. The following shall be the order of business unless changed by, or with the consent of the Council, namely:

Call to order by the President
Invocation
Roll call
Announcement of quorum
Reading the minutes of the last meeting
Correction or approval of the minutes of the last meeting
Treasurer's report
Report of committees
Unfinished business
New business
Adjournment

Sec. 4. When there is no special rule, Robert's Rules of Order shall be the law governing the procedure of the Council.

Sec. 5. Every resolution, after the explanatory clause, shall begin with the words: "Be it resolved by the Council of the Petersburg Indian Association."

ARTICLE V—DEFINITIONS

SECTION 1. Where the masculine pronoun is used, it shall be understood to include the feminine.

SEC. 2. The word "adult" means a person who is 21 years of age or over.

ARTICLE VI—RATIFICATION

SECTION 1. This Constitution and By-laws shall be effective from and after the date of its ratification by a majority vote of those voting at an election called for the purpose by the Secretary of the Interior; Provided, that at least 30 percent of those entitled to vote shall vote in such an election, the ratification to be formally certified by the Election Board.

SEC. 2. The persons entitled to vote in the election on the adoption of the Constitution and By-laws are all the adult Indians residing on Mitkof Island whose names appear on a roll compiled under the direction of the Secretary of the Interior.

SEC. 3. This Constitution and By-laws are herewith approved by the Assistant Secretary of the Interior and submitted for ratification by the Indians having a common bond of residence on Mitkof Island, Territory of Alaska, in a popular referendum called and held under the Instructions of the Secretary of the Interior.

WILLIAM E. WARNE,
Assistant Secretary of the Interior.

WASHINGTON, D. C., *March 22, 1948.*

CERTIFICATION OF ADOPTION

Pursuant to an order, approved March 22, 1948, by the Assistant Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the group of Indians having a common bond of residence in the Mitkof Island, Territory of Alaska, and was on May 21, 1948, duly ratified by a vote of 50 for, and 0 against in an election in which over thirty percent of those entitled to vote cast their ballots, in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended by the Acts of June 15, 1935 (49 Stat. 378), and May 1, 1936 (49 Stat. 1250).

MRS. AMY HALLINGSTAD,
Chairman, Election Board.
MRS. HELEN KING,
Secretary, Election Board.

JAMES B. STRONG,
Government Representative.